

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Case No. CR08-196-RSL
	)	
v.	)	<b>PROPOSED FINDINGS OF FACT</b>
	)	<b>AND DETERMINATION AS TO</b>
DAVID JAMES OLSEN,	)	<b>ALLEGED VIOLATIONS OF</b>
	)	<b>SUPERVISED RELEASE</b>
Defendant.	)	

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INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on October 19, 2010. The defendant appeared pursuant to summons issued in this case. The United States was represented by Matthew Pittman, and defendant was represented by Stewart P. Riley. Also present was U.S. Probation Officer Tom Fitzgerald. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on October 10, 2008 by the Honorable Robert S. Lasnik for Misprision of a Felony. He received 12 months detention (6 months of which was served on home confinement) and 3 years of supervised release.

PRESENTLY ALLEGED VIOLATIONS

In a petition dated September 20, 2010, U.S. Probation Officer Brian Facklam alleged that

1 defendant violated the following conditions of supervised release:

- 2 1. Using alcohol on or before August 12, 2010, in violation of standard condition 7.
- 3 2. Using marijuana on or before August 12, 2010, in violation of standard condition 7.

4 FINDINGS FOLLOWING EVIDENTIARY HEARING

5 Defendant admitted the above violations, waived any hearing as to whether they occurred,  
6 and was informed the matter would be set for a disposition hearing on November 5, 2010 at 1:30  
7 p.m. before District Judge Robert S. Lasnik.

8 RECOMMENDED FINDINGS AND CONCLUSIONS

9 Based upon the foregoing, I recommend the court find that defendant has violated the  
10 conditions of his supervised release as alleged above, and conduct a disposition hearing.

11 DATED this 19<sup>th</sup> day of October, 2010.

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14 BRIAN A. TSUCHIDA  
15 United States Magistrate Judge  
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